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# Mendel Biotechnology, Inc.

To: U.S. PATENT AND TRADEMARK OFFICE

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From: Suzanne Mack, Reg. No. 44,888

Date: August 11, 2004

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 11, 2004.

Typed or Printed Name: Suzanne Mack

Signature: 

OUR DOCKET NO.: MBI-0058CIP

APPLICATION NO.: 10/714,887

FILED: November 13, 2003

This submission includes:

1. Transmittal Form (PTO/SB/21) (1 pg.);
2. Revocation of Power of Attorney and Change of Correspondence Address (PTO/SB/82) (1 pg.); and
3. Statement Under 37 CFR 3.73(b) (PTO/SB/96) (1 pgs).

Total pages in this facsimile submission (including facsimile cover sheet): 4 pages

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0081

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|  |                      |                        |             |
|--|----------------------|------------------------|-------------|
| <b>TRANSMITTAL FORM</b><br><small>(to be used for all correspondence after initial filing)</small> | Application Number   | 10/714,887             |             |
|  | Filing Date          | November 13, 2003      |             |
|  | First Named Inventor | Heard, J.              |             |
|  | Art Unit             |                        |             |
|  | Examiner Name        |                        |             |
| Total Number of Pages in This Submission   | 4                    | Attorney Docket Number | MBI-0058CIP |

| ENCLOSURES (Check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Statement Under 37 CFR 3.73(b) (1 pg); facsimile cover sheet (1 pg) |
| Remarks   |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                 |  |  |
|-------------------------|---------------------------------|--|--|
| Firm or Individual name | Suzanne Mack (Reg. No. 44, 888) |  |  |
| Signature               | <i>Suzanne Mack</i>             |  |  |
| Date                    | August 11, 2004                 |  |  |

## CERTIFICATE OF TRANSMISSION/MAILING

|   |                     |      |                 |
|---|---------------------|------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                     |      |                 |
| Typed or printed name   | Suzanne Mack        |      |                 |
| Signature   | <i>Suzanne Mack</i> | Date | August 11, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1.22 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/82 (09-03)

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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/714,887        |
| Filing Date            | November 13, 2003 |
| First Named Inventor   | Heard             |
| Art Unit               |                   |
| Examiner Name          |                   |
| Attorney Docket Number | MBI-0058CIP       |

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

23678

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

23678


OR

|   |  |       |  |     |
|---|--|-------|--|-----|
| <input type="checkbox"/> Firm or<br>Individual Name |  |       |  |     |
| Address   |  |       |  |     |
| Address   |  |       |  |     |
| City  |  | State |  | Zip |
| Country   |  |       |  |     |
| Telephone   |  | Fax   |  |     |

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
**SIGNATURE of Applicant or Assignee of Record**

|           |   |           |              |
|-----------|---|-----------|--------------|
| Name      | Neal Gutterson  |           |              |
| Signature |  |           |              |
| Date      | August 10, 2004   | Telephone | 510-264-0280 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

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PTO/SB/96 (08-04)

Approved for use through 07/31/2008, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Mendel Biotechnology, Inc.Application No./Patent No.: 10/714,887 Filed/Issue Date: November 13, 2003Entitled: Plant Transcriptional Regulators of Drought StressMendel Biotechnology, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014326, Frame 0738, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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The document was recorded in the United States Patent and Trademark Office at  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 10, 2004

Date

510-264-0280

Telephone number

Neal Gutterson

Typed or printed name

Neal Gutterson

Signature

Chief Operating Officer

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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